

COMPLAINT NUMBER	18/201
COMPLAINANT	C Sol
ADVERTISER	Kiwibank Limited
ADVERTISEMENT	Television
DATE OF MEETING	July 2 2018
OUTCOME	No Grounds to Proceed

Advertisement: The Kiwibank television advertisement shows a number of images of people projected on different buildings and places around New Zealand. It begins with a woman asking “Why haven’t you joined Kiwibank yet?” A man then says: “Unlike most other banks, including yours maybe, Kiwibank’s profits don’t fly out the door and into the pockets of other countries.” The advertisement ends with the statement “Kiwibank, its ours, is it yours?”, the Kiwibank logo and the website address.

The Chair ruled there were no grounds for the complaint to proceed.

Complainant, C Sol, said: “The latest kiwibank TV advertising messaging has nothing to do with banking services & product but instead is calling for Nationalist, chauvinism and ultimately xenophobic & racist behaviour, buy solely focusing on their ownership structure. Nevertheless by doing so and not disclosing that most of their product are white label it products from other banks (aka foreign own banks) are completely misleading their potential & existing customers.

Not to mention that their customers on the advertising are not their real customers but paid actors!

This advertising is extremely offensive and misleading to the public and could have extremely negative impact on simple people who are not informed properly.”

The relevant provisions were Code of Ethics - Rule 4, Rule 5; Code for Financial Advertising - Principle 1, Principle 2;

The Chair noted the Complainant’s concern that by promoting Kiwibank as a New Zealand-owned bank the advertisement was racist and misleading.

The Chair said the advertisement was a brand advertisement for Kiwibank, featuring a number of individuals talking about their bank and asking viewers why they were not customers. The advertisement drew attention to the ownership of the bank and said that profits “don’t fly out the door and into the pockets of other countries”.

The Chair did not consider the advertisement promoted specific banking products and services and it was not misleading in relation to the Complainant’s concern about “white label products from other banks”.

The Chair noted the Complainant was offended by the theme of the advertisement promoting New Zealand ownership but she did not consider it promoted “xenophobic and racist” behaviour. The Chair confirmed companies were able to promote their ownership structure to potential customers.

In relation to the Complainant's concern the customers in the advertisement were paid actors, the Chair said it was common for actors to take roles in advertisements portraying different characters. However, in this case, the Advertiser had confirmed the people featured in the advertisement were in fact Kiwibank customers.

The Chair said the advertisement did not meet the threshold to be likely to offend against generally prevailing community standards, taking into account context, medium, audience and nor cause serious or widespread offence. The advertisement was not misleading and had been prepared with a high standard of social responsibility.

The Chair said the advertisement was not in breach of Rules 4 and 5 of the Code of Ethics or Principles 1 and 2 of the Code for Financial Advertising.

Accordingly, the Chair ruled there were no grounds for the complaint to proceed.

Chair's Ruling: Complaint **No Grounds to Proceed**

APPEAL INFORMATION

According to the procedures of the Advertising Standards Complaints Board, all decisions are able to be appealed by any party to the complaint. Information on our Appeal process is on our website www.asa.co.nz. Appeals must be made in writing via email or letter within 14 days of receipt of this decision.